

REMARKS

Claims 1-5, 11-24, 27-30, 32, 34-36, 43 and 44 are pending. Claims 1-5, 11-13, 32, 34 and 36 are rejected. Claims 14-15, 17-24 and 27-30 are withdrawn from consideration. Applicants have amended claim 1 and cancelled claim 16.

Applicants have amended claim 1 and claims depending thereon to include the fact that the fibrous matrix comprises a gradient structure. Applicants respectfully submit that no new matter is added via the Amendment. The claim limitation was included in claim 16 of the original application, which claim is cancelled via this Amendment. As noted at paragraph 1 of page 9 of Applicants' specification, a fibrous implant may have a gradual or rapid transition from rapidly degrading fibers at the periphery of the implant, to slowly degrading fibers at the center, relatively speaking. In another embodiment, the transition may occur between the top of the matrix to the bottom of the matrix.

Claims 1-5, 11-13, 32, 34 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Tormala et al. (US 6,350,284). In view of the Amendment Applicants respectfully traverse.

In order for a reference to anticipate a claim the reference must disclose, either expressly or inherently, each and every element of the claim. Applicant respectfully submits that Tormala fails to disclose an implant as claimed by Applicants wherein the fibrous matrix comprises a gradient structure. While Tormala discloses various fibers that may be used to make the fiber web disclosed therein, the only specific disclosure as to a web is found in example 1, at Column 5, lines 37-45. Applicants respectfully submit that nowhere does Tormala expressly disclose that the web comprises a gradient structure. Applicants further respectfully submit that fiber webs prepared according to Tormala would not inherently comprise a gradient structure. Accordingly, Applicants respectfully submit that Tormala fails to anticipate any of claims 1-5, 11-13, 32, 34 or 36.

With respect to the withdrawn claims, Applicants respectfully submit that those claims also are patentable and read on the amended claim 1.

Applicants respectfully submit that the foregoing is a complete response to the Office Action and that all pending claims are patentable and earnestly request a notice of allowance with respect to all pending claims.

Respectfully Submitted,

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